

FIFTY-SIXTH DAY

(Continued)

(Wednesday, April 29, 1959)

After Recess

The Senate met at 10:30 o'clock a.m. and was called to order by the President.

**Continuation of Session for
Consideration of Local and
Uncontested Bills Calendar**

The President announced the Session for the continued consideration of the Local and Uncontested Bills Calendar.

House Bill 554 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 554, A bill to be entitled "An Act validating all road bonds heretofore voted and authorized under the provisions of Article 3, Section 52 of the Constitution of Texas by a 2/3 vote of those qualified to vote thereon and validating all proceedings pertaining to such bonds; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 554 to third reading.

House Bill 554 on Third Reading

Senator Colson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 554 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Baker	Herring
Bradshaw	Hudson
Colson	Kazen
Crump	Krueger
Dies	Lane
Fly	Martin
Fuller	Moffett
Gonzalez	Moore

Owen	Rogers
Parkhouse	Secrest
Phillips	Smith
Ratliff	Weinert
Reagan	Willis
Roberts	Wood

Nays—1

Hardeman

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 29, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 105, A bill to be entitled "An Act to amend Article 582 of the Code of Criminal Procedure of Texas of 1925; and declaring an emergency."

S. B. No. 199, A bill to be entitled "An Act to amend Articles 501, 502, 505, 517, 518, and 519 of the Code of Criminal Procedure of Texas of 1925, so as to provide for a plea of nolo contendere in all cases in which a plea of guilty might be entered; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bills on First Reading

The following bills received from the House were read the first time and referred to the committees indicated:

H. B. No. 727, To the Committee on State Affairs.

H. B. No. 238, To the Committee on State Affairs.

Senate Resolution 460

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the students of the 5, 6, 7, and 8th Grades of Pleasant Hill, Washington County, accompanied by their teachers, John H. Addicks and Bennard Holle; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Moore by unanimous consent presented the students and teachers to the Members of the Senate.

(Senator Hardeman in the Chair.)

Reports of Standing Committees

Senator Roberts by unanimous consent submitted the following reports:

Austin, Texas,
April 29, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 168, have had the same under consideration, and we are instructed to report it back to the Senate with

the recommendation that it do pass and be printed.

ROBERTS, Chairman.

Austin, Texas,
April 29, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 87, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROBERTS, Chairman.

Senator Krueger by unanimous consent submitted the following report:

Austin, Texas,
April 29, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 798, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Senate Resolution 461

Senator Moore offered the following resolution:

Whereas, The Constitution of the State of Texas provides, in Article III, Section 33, that: "All bills for raising revenue shall originate in the House of Representatives but the Senate may amend or reject them as other bills"; and

Whereas, The House of Representatives, on the 19th day of January, 1959, passed S. C. R. No. 2, concurring in the setting of the sine die adjournment of the 56th Texas Legislature at 6 p.m. Tuesday, May 12, 1959; and

Whereas, The House of Representatives passed H. B. No. 216, the General Appropriations Bill for the coming biennium, on April 7, 1959, which was duly passed by the Senate, with certain amendments, on April 16, 1959; and

Whereas, Article III, Section 49a

of the Texas Constitution provides that "no appropriation in excess of the cash and anticipated revenue of the funds from which such appropriation is to be made shall be valid"; and

Whereas, On Monday, April 27, 1959, the House of Representatives passed H. B. No. 727, purporting to be a tax measure designed to support the expenditures set forth in the General Appropriations Bill; and

Whereas, The projected yield from the taxes proposed in H. B. No. 727 clearly falls short, to the extent of hundreds of millions of dollars, of the expenditures outlined in H. B. No. 216; and

Whereas, The aforementioned H. B. No. 727 essentially consists of nothing more than a caption which sets awkwardly upon a bare skeleton; and

Whereas, It is manifestly unfair, unrealistic, and contrary to the Constitution to expect the Senate to accomplish within two weeks what the House of Representatives has failed to do in three and one-half months; now, therefore, be it

Resolved, By the Senate of the State of Texas, That, in sober exercise of its constitutional obligations, this honorable body does hereby reject H. B. No. 727; and be it further

Resolved, That H. B. No. 727 be returned to the House of Representatives, along with the Senate's official request that the House fulfill its constitutional responsibility to initiate adequate measures "to raise revenue sufficient for the economical administration of the government" of the State of Texas.

The resolution was read and was referred to the Committee on Rules.

Senate Concurrent Resolution 66

Senator Smith offered the following resolution:

S. C. R. No. 66, Requesting the Texas Legislative Council to make a study of the valuation of real property for tax purposes at all levels of State government.

Whereas, The State Tax Study Commission created by the 55th Legislature has submitted an outstanding report on the varied and complex problems of taxation; and

Whereas, That report called the at-

tention of the Legislature to many general and particular questions which have long remained unresolved in the tax structure of this State; and

Whereas, There is an urgent and increasing need for further study of numerous aspects of taxation; and

Whereas, The individual citizens of Texas find that their tax burdens are growing steadily—and perhaps, in many cases, disproportionately—in the important area of real property; and

Whereas, Various levels of government continue to place heavy and cumulative levies upon real property and upon solutions varying radically as between levels of government; and

Whereas, The property owners of Texas deserve and expect that the elected members of their State Legislature make tax decisions in the light of full knowledge of their impact upon the citizens; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, That the Texas Legislative Council be requested to make a study of valuation of real property for tax purposes at all levels of government; and, be it further

Resolved, That the Legislative Council be requested to present its report on this subject, including recommendations, to the 57th Legislature.

The resolution was read and was referred to the Committee on State Affairs.

Senate Resolution 462

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Seventh Grade Civics Class of the Giddings Public Schools, accompanied by their teacher, Henry Lawrence; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of

their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students and Mr. Lawrence to the Members of the Senate.

Senate Resolution 463

Senator Bradshaw offered the following resolution:

Whereas, The records of insurance companies and their affiliates in receivership and the records of conservatorships which are delivered to, received by, or accumulated in the Liquidation Division of the State Board of Insurance are of public interest or may become of public interest and may continue to be of financial interest to stockholders, bondholders, creditors, policyholders, or others, and the destruction of such records may result in financial loss to persons who have an interest in the shares, bonds, securities or policies of these companies; now, therefore, be it

Resolved by the Senate of the State of Texas, That neither the Insurance Commissioner of the State Board of Insurance nor the Receiver or Liquidator of the State Board of Insurance nor the State Librarian nor the State Auditor shall authorize or approve the destruction of such records, unless specifically authorized to do so by legislative permission hereafter granted. After records of insurance companies and their affiliates in receivership or records of conservatorships have served their purpose in the Liquidation Division of the State Board of Insurance, they shall be placed in proper containers for storing and shall be delivered to the State Librarian to be stored, and shall remain under the care and supervision of the State Librarian until authority for their destruction is granted by the Legislature.

BRADSHAW
MOORE
HERRING
FLY
CRUMP

The resolution was read and was adopted.

Senate Resolution 464

Senator Colson offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 5th, 6th, 7th and 8th grade classes of the Lone Star School of Leon County, accompanied by their teachers, Mrs. Gertrude Ryder and Mr. Davis Stone; and

Whereas, These students and guests are seeking to broaden their education by a visit to the State Capitol, and other places of interest in the Capital City; and

Whereas, We are proud that these fine young American citizens are here to observe governmental processes in action; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Colson by unanimous consent presented the students and their teachers to the Members of the Senate.

Senate Resolution 465

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Lionel Wayne of San Antonio; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented Mr. Wayne to the Members of the Senate.

Senate Resolution 466

Senator Hazlewood offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, Mrs. David Sheridan, a former secretary of Amarillo and who now resides in Tyler, Texas; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That her presence be recognized by the Senate of Texas and that she be extended the official welcome of the Senate, and the privileges of the floor for the day.

The resolution was read and was adopted.

Senator Hazlewood by unanimous consent presented Mrs. Sheridan to the Members of the Senate.

Senate Resolution 467

Senator Crump offered the following resolution:

Whereas, We are honored to have in the gallery of the Senate, the McCulloch County, Texas Future Farmers and 4-H Club members, accompanied by Mr. Wesley Bratton, sponsor of this trip; Mr. Roger Wheeler, Manager of the Brady Chamber of Commerce, as well as a representation of other members of the Brady Chamber of Commerce; Mr. Jimmy Cusenbary, McCulloch County Agent of the Vocational Agriculture Teachers Association of Texas; and Mr. E. L. Ross, Mr. Talmage Wood, Mr. Miers Johnson, Mr. J. D. Hampton, and Mr. C. B. Chenault, Vocational Agriculture Teachers; and

Whereas, These young citizens are on an educational tour of the Capitol Building and Capital City in recognition of their feeding and marketing efficiency in connection with their participation in the Commercial Feeding Program of the Brady Chamber of Commerce; and

Whereas, By their part in this Program this group of youthful Americans are preparing themselves to make substantial contributions not only to their community and their State of Texas but to our democratic way of life in the United States; and

Whereas, This effort on their part, as well as the generous backing provided by their teachers and sponsor, deserves to be acknowledged by their legislators and fellow citizens; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their achievements; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Crump by unanimous consent presented the guests to the Members of the Senate.

Senate Resolution 468

Senator Kazen offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Civics and Economics Classes of the Orange Grove High School of Orange Grove, Jim Wells County, accompanied by their sponsors, Mr. Roy Hranicky and Ned J. Hellums; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Kazen by unanimous consent presented the students and teachers to the Members of the Senate.

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 29, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following:

The House refused to concur in Senate amendments to House Bill No. 216 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 297 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 297, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to determine the amount of land excess to the needs of the operation of the Kerrville State Home; to sell and convey same; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 297 to engrossment.

House Bill 297 on Third Reading

Senator Crump moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 297 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Wood

Nays—3

Hardeman	Willis
Martin	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Wood

Nays—3

Hardeman	Willis
Martin	

Senate Resolution 469

Senator Moffett offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior Class of the Iowa Park High School, accompanied by their principal, Mr. J. E. Elms, and Mrs. Elms, their room mothers, Mrs. D. O. James, Mrs. Alan Berry, Mrs. W. I. Lynn, Mrs. Lloyd Bell, Mrs. J. D. Padgett, and Mrs. A. W. Bedford, and their sponsors, Mrs. Chauncey Weiler and Mr. Bob Dawson; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, be mailed to the officers of the class in recognition of their visit.

The resolution was read and was adopted.

Senator Moffett by unanimous consent presented the students and teachers to the Members of the Senate.

House Bill 420 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 420, A bill to be entitled "An Act to amend Section 1 of Chapter 156, Acts of the Fortieth Legislature, Regular Session, 1927, as amended (Article 200a, Vernon's Texas Civil Statutes), relating to Administrative Judicial Districts, by amending Section 1 thereof by removing Gillespie and Kimble Counties from the Third Administrative Judicial Districts to the Sixth Administrative Judicial District; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 420 on Third Reading

Senator Crump moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 420 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 218 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 218, A bill to be entitled "An Act amending Acts 1955, 54th Legislature, Regular Session, Page 910, Chapter 359, relating to the Newton County Water Supply District; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 218 on Third Reading

Senator Dies moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 218 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the

bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 69 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 69, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to sell certain described tracts of land which are a part of the site of the Rusk State Hospital; describing the manner of the sale; providing for disposition of the proceeds; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Votes

Senators Hardeman and Willis asked to be recorded as voting "Nay" on the passage of H. B. No. 69 to third reading.

House Bill 69 on Third Reading

Senator Dies moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 69 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Crump
Baker	Dies
Bradshaw	Fly
Colson	Fuller

Gonzalez	Parkhouse
Hazlewood	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Secrest
Martin	Smith
Moffett	Weinert
Moore	Wood
Owen	

Nays—2

Hardeman	Willis
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Wood
Lane	

Nays—2

Hardeman	Willis
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House Bill 438 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 438, A bill to be entitled "An Act amending House Bill No. 803, Chapter 478, Acts of the 55th Legislature, Regular Session, 1957, authorizing the Board for Texas State Hospitals and Special Schools to convey certain land in Cherokee County, Texas; describing the manner of sale and disposition of proceeds; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Votes

Senators Hardeman and Willis

asked to be recorded as voting "Nay" on the passage of H. B. No. 438 to third reading.

House Bill 438 on Third Reading

Senator Dies moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 438 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Wood
Lane	

Nays—2

Hardeman	Willis
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Wood
Lane	

Nays—2

Hardeman	Willis
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House Bill 715 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to third reading:

H. B. No. 715, A bill to be entitled "An Act to amend Chapter 60, Acts of the 54th Legislature, Regular Session, 1955, by adding a new section to be known as Section 4-A, so as to provide that the members of the Board of Directors of the Jackson County Water Control and Improvement District Number One may receive the same fees of office as directors of similar districts operating under the provisions of Chapter 3A of Title 128, Revised Statutes of Texas, 1925, as amended; repealing conflicting laws to the extent of such conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 715 on Third Reading

Senator Fly moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 715 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Fly
Baker	Fuller
Bradshaw	Gonzalez
Colson	Hardeman
Crump	Hazlewood
Dies	Herring

Hudson	Ratliff
Kazen	Reagan
Krueger	Roberts
Lane	Rogers
Martin	Secrest
Moffett	Smith
Moore	Weinert
Owen	Willis
Parkhouse	Wood
Phillips	

Senate Resolution 470

Senator Crump offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Civics Class of Fredericksburg High School, accompanied by their teacher, Mr. E. W. Stobaugh; and

Whereas, these students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Crump by unanimous consent presented the students and their teacher to the Members of the Senate.

House Bill 798 Ordered Not Printed

On motion of Senator Gonzalez and by unanimous consent H. B. No. 798 was ordered not printed.

House Bill 519 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 519, A bill to be entitled "An Act authorizing the Board of Regents of Lamar State College of Technology to sell certain college lands; authorizing the Chairman of the Board of Regents to execute and deliver the necessary conveyance to be approved by the Attorney General; providing for the disposition of the proceeds of the sale; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Votes

Senators Hardeman and Willis asked to be recorded as voting "Nay" on the passage of H. B. No. 519 to third reading.

House Bill 519 on Third Reading

Senator Fuller moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 519 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Wood
Lane	

Nays—2

Hardeman	Willis
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Wood
Lane	

Nays—2

Hardeman Willis

House Bill 703 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 703, A bill to be entitled "An Act to amend Title 128, Revised Civil Statutes of Texas, 1925, by the addition thereto of a new Article 7987-1 to provide an alternative method of naming supervisors in certain levee improvements districts by election; providing procedure for their election; prescribing their qualifications, terms of office, and compensation; providing for filling vacancies in their offices; retaining all laws affecting levee improvement districts not in conflict herewith in full force; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 703 on Third Reading

Senator Fuller moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 703 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Resolution 471

Senator Gonzales offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Mrs. Joe Mendiola, Mrs. Dan Tamez of San Antonio; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the guests to the Members of the Senate.

House Bill 648 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 648, A bill to be entitled "An Act providing for a closed season in Jefferson County upon alligators; providing a penalty; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 648 on Third Reading

Senator Fuller moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 648 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 920 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 920, A bill to be entitled "An Act to authorize the creation of a Hospital District within Jefferson County including only the area comprising the Jefferson County Drainage District No. 7 and the Port Arthur Independent School District as such boundaries existed on the 1st day of January, 1957.

The bill was read second time and was passed to third reading.

House Bill 920 on Third Reading

Senator Fuller moved that Senate

Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 920 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 342 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 342, A bill to be entitled "An Act to amend Acts of the 40th Legislature, 1927, Chapter 283, Section 1 (Compiled as Article 1011a V. A. C. S.), to authorize regulation of buildings and other structures for the purpose of preserving and pro-

tecting places and area of historical and cultural importance; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 342 on Third Reading

Senator Gonzalez moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 342 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Resolution 472

Senator Secrest offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, 81 Civics students of University High School, Waco, Texas, accompanied by their teachers, Robert Lundgren, Lorene Manka and Bob Johnson; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Secrest by unanimous consent presented the students and their teachers to the Members of the Senate.

Senate Resolution 473

Senator Bradshaw offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Senior Class from Aledo High School, Aledo, Texas, Parker County, accompanied by their sponsors Mr. Ray Barber and Mrs. Blanche Frady; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Bradshaw by unanimous consent presented the students and

sponsors to the Members of the Senate.

Senate Resolution 474

Senator Secrest offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 21 students of Civics Class of Moody High School of Moody, Texas, accompanied by their teacher, Mr. Ray Todd; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Secrest by unanimous consent presented the students and their teacher to the Members of the Senate.

Message from the Governor

The following message received from the Governor today was read and was filed with the Secretary of the Senate:

April 29, 1959.

To the Members of the Fifty-Sixth Legislature:

The Banking Commissioner of Texas has just advised that during the past week he has been confronted with the third instance in recent years of the purchase of control of a State bank by persons either so inexperienced, irresponsible or unscrupulous that they could not have qualified for the original charter and ownership of the bank, and that there is no law or authority vested in the Banking Commissioner of Texas to pass on or approve such transfers of bank control.

Bank failures and liquidations resulted in two of these instances, and in the most recent case the bank was saved only by substitution of new

ownership and officers during the past week end.

In each of these instances the actions which brought about or threatened insolvency occurred between the regular bank examinations. Although the present law requires approval of the banking experience, ability, standing and good faith of the persons obtaining a charter and control of a State bank, this public safeguard has been avoided in these three instances by subsequent purchase of control by persons who could not meet the qualifications for original ownership and control of the banks. The Banking Commissioner has expressed the fear that such instances might occur again unless purchasers of bank control are required by law to meet the standards set up for original ownership and control, and he recommends as an emergency matter that a law be enacted to require such approval before any person or group of persons is permitted in the future to acquire control of a State bank.

I agree with the Banking Commissioner of Texas on both the necessity and urgency of this legislation and hereby submit as an emergency matter, in accordance with Section 5 of Article III of the Constitution of Texas, the enactment of legislation which will provide that purchase of the controlling interest in a State bank must be approved by the State Banking Commissioner after hearing and certification that the proposed new owner has sufficient experience, ability and financial responsibility to control and operate the bank in a lawful and proper manner so that the interests of the public, the depositors, creditors and stockholders will not be jeopardized by the proposed change in ownership and management.

I herewith attach a proposed bill prepared by the Banking Commissioner which would accomplish such purpose.

Respectfully submitted,
PRICE DANIEL
Governor

A BILL TO BE ENTITLED

AN ACT to amend Article 1 of Subchapter IV, Chapter 97, Page 144, Acts of the 48th Legislature, Regular Session, 1943; providing for the transfer of shares of stock in a state bank with certain limitations when the transfer affects a change of control

of the bank; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Article 1 of Subchapter IV, Chapter 97, Page 144, Acts of the 48th Legislature, Regular Session, 1943 (Art. 1, Ch. IV, The Texas Banking Code of 1943, carried as Art. 342-401 of Vernon's Civil Statutes of Texas) is hereby amended so as to hereafter read as follows:

"Article 1. Transfer of Stock.

"Shares of stock in a state bank shall be personal property and transferable only upon its books, and, except as hereinafter provided, it shall be the duty of the officers of a state bank to transfer such stock upon its books at the request of the transferee, supported by a transfer in writing or other legally effective transfer; provided that in any case where a person or a group of persons proposes to purchase or acquire the majority of the outstanding capital stock of any state bank and thereby to change the control of said bank, such person or group of persons shall first make application to the Commissioner for a certificate of approval of such proposed change of control of said bank. Said application shall contain the name and address of the proposed new owner or owners of the controlling stock and such other information as the Commissioner may require, and the Commissioner shall issue a certificate of approval only after he has become satisfied that the proposed new owner or owners of the controlling stock have sufficient banking experience, ability, financial responsibility and standing in the community to control and operate the said bank in a lawful and proper manner and that the interests of the depositors, creditors and stockholders of the bank and the interest of the public generally will not be jeopardized by the proposed change in ownership or management. If the Commissioner approves such change of control of said bank he shall give notice to all stockholders of his action, and the person or group of persons purchasing or otherwise acquiring control of said bank shall purchase all or any part of shares owned by minority stockholders at the highest price paid for all or any part of the shares acquired in obtaining control upon written demand by such minority stockholders made within thirty (30) days after

the Commissioner has mailed the notice of approval."

Section 2. Emergency Clause.

The fact that in several instances in the past few years a person or group of persons has acquired the controlling interest in a state bank located within this State and has within a very short period of time by following unsound banking and business practices rendered each of such banks insolvent or in imminent danger of insolvency, and the fact that in order to obtain a charter for a state bank it is necessary to show sufficient banking experience, ability and standing to render success of the proposed bank probable, create a need for legislation to limit the transfer of a controlling interest in a state bank so that control will not fall into the hands of inexperienced, incompetent and unscrupulous persons, and such conditions, in addition to the crowded condition of the calendar, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

House Bill 928 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 928, A bill to be entitled "An Act to amend Section 2 of H. B. No. 470, Ch. 155, of the Special Laws of the Acts of the 39th Legislature of the State of Texas, Regular Session, 1925, providing for the election of the Board of Trustees of the Reagan County Independent School District in Reagan County, Texas; providing for the filling of vacancies on the Board of Trustees of the Reagan County Independent School District; providing for current members to serve until the expiration of their terms of office; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 928 on Third Reading

Senator Lane moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three

several days be suspended and that H. B. No. 928 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 553 on Third Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 553, A bill to be entitled "An Act establishing a Juvenile Board in Crane County; prescribing the membership and powers of the board and providing for compensation of its members; authorizing the board to appoint a juvenile officer; prescribing the powers and duties of the juvenile officer and providing for his com-

pensation and expenses; repealing conflicting laws; providing for severability; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 553 to third reading.

House Bill 553 on Third Reading

Senator Lane moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 553 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Kazen
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts

Rogers
Secrest
Smith

Weinert
Willis
Wood

Nays—1

Hardeman

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 29, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. J. R. No. 3, Proposing an amendment to Section 24 of Article III of the Constitution of the State of Texas allowing an annual salary of not to exceed Four Thousand, Eight Hundred Dollars (\$4,800) per year and a per diem allowance of not to exceed Twelve Dollars (\$12) per day for the first one hundred and twenty (120) days only of each Regular Session and for thirty (30) days of each Special Session of the Legislature as the maximum compensation for Members of the Legislature.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 693 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 693, A bill to be entitled "An Act amending Section 2 of Chapter 90, Acts of the 54th Legislature, Regular Session, 1955, relating to the catching and taking of fish in New Lake Winters, Runnels County, Texas; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 693 on Third Reading

Senator Lane moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 693 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 694 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 694, A bill to be entitled "An Act regulating the transportation of minnows out of Runnels County, Texas; providing a penalty; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 694 on Third Reading

Senator Lane moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 694 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 713 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 713, A bill to be entitled "An Act validating the organization of Board of Regents of Junior College District and actions taken by such boards subsequent to organization; making law inapplicable to such boards now involved in litigation; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 713 on Third Reading

Senator Hazlewood moved that Sen-

ate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 713 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 376 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 376, A bill to be entitled "An Act relating to peddling of printed matter by deaf persons; repealing Chapter 442, Acts of 54th Legislature, 1955; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 376 on Third Reading

Senator Hazlewood moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 376 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Aikin

House Bill 509 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to third reading:

H. B. No. 509, A bill to be entitled "An Act amending Subsection (a) of Section 1 of Chapter 9, Acts of the 43rd Legislature, 1933, as amended, relating to agents to contract for county; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 509 on Third Reading

Senator Hazlewood moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 509 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Kazen
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers

Secrest
Smith
Weinert

Willis
Wood

House Bill 464 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 464, A bill to be entitled "An Act providing a method of financing the operation of the Texas Commission on Alcoholism; amending Section 18 of Chapter 411 Acts of the Fifty-third Legislature, Regular Session, 1953, as amended; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 464 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 464 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Dies
Baker	Fly
Bradshaw	Fuller
Colson	Gonzalez
Crump	Hardeman

Hazlewood	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Secrest
Martin	Smith
Moffett	Weinert
Moore	Willis
Owen	Wood
Parkhouse	

House Bill 642 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 642, A bill to be entitled "An Act amending Article 10.05 and Article 10.18 of the Insurance Code; relating to the payment of benefits of a fraternal benefit society; providing that fraternal benefit societies, except those whose admitted assets are less than the sum of their accrued liabilities and reserves, may not be required to segregate their funds; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 642 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 642 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the

bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 856 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 856, A bill to be entitled "An Act to exempt from existing statutes regulating the length of motor vehicles which may be operated in this State and from statutes regulating the distance which a load may extend beyond the front or rear of motor vehicles such vehicles or combinations of vehicles used exclusively to transport poles required for the maintenance of electric power transmission and distribution lines; imposing conditions governing such vehicles; repealing all laws and parts of laws in conflict herewith; containing a severability clause, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 856 on Third Reading

Senator Herring moved that Senate Bill 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 856 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bradshaw
Baker	Colson

Crump	Moore
Dies	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood
Moffett	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 753 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 753, A bill to be entitled "An Act authorizing the Commissioners Court of Zapata County to supplement the salary of the District Judge of the 49th Judicial District of Texas; making other provisions relating thereto; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 753 to third reading.

House Bill 753 on Third Reading

Senator Kazen moved that Senate

Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 753 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

House Bill 267 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 267, A bill to be entitled "An Act relating to the identification

of city and county owned vehicles and heavy equipment; providing for penalties for violation; and declaring an emergency."

The bill was read the second time.

Senator Willis offered the following amendment to the bill:

Amend H. B. No. 267 by adding the following sentence after the period at the end of Section 1, line 31, of the printed bill:

"Provided further, that the provisions of this section shall not apply to any county or counties having a population of three hundred and fifty thousand (350,000) or more according to the last preceding Federal Census."

WILLIS
GONZALEZ
BAKER
PARKHOUSE

The amendment was adopted.

Senator Willis moved to reconsider the vote by which the above amendment was adopted.

Senator Willis then withdrew the pending amendment.

Senator Krueger then moved that H. B. No. 267 be Laid on the Table Subject to Call.

There was no objection offered.

Question—Shall H. B. No. 267 be passed to third reading?

Senate Resolution 475

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior Class of Kemp High School accompanied by their teachers, Mr. C. L. Swing, Miss B. J. Marshall and Mr. C. L. Bunnell; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore be it

Resolved, That we extend to these students a cordial welcome; and that

a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Moore by unanimous consent presented the students and their teachers to the Members of the Senate.

Report of Standing Committee

Senator Bradshaw submitted the following report:

Austin, Texas,
April 27, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 796, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRADSHAW, Chairman.

Senate Resolution 476

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Rock Island High 7th through 12th Grades accompanied by their teacher and sponsor Mr. Leon Jecmenek and Mr. Larry Jones; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, it is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students, teacher and sponsor to the Members of the Senate.

House Bill 718 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 718, A bill to be entitled "An Act creating a Court of Domestic Relations for Gregg County, Texas; fixing its jurisdiction; conforming the jurisdiction of other Courts thereto; fixing its terms; providing the manner of selection, tenure and compensation of the Judge of said Court; etc.; and declaring an emergency."

The bill was read the second time.

Senator Lane offered the following committee amendment to the bill:

Amend H. B. No. 718 by striking out the words "Governor of the State of Texas" in lines 1 and 2 of Sec. 4 and substituting in lieu thereof the words "Commissioners Court of Gregg County."

The committee amendment was adopted.

Senator Lane offered the following committee amendment to the bill:

Amend H. B. No. 718 by striking out the words "Juvenile Board" in line 6 of Sec. 10 and substituting in lieu thereof the words "Commissioners Court," and by striking out the words "Juvenile Board" in line 9 of Sec. 10 and substituting in lieu thereof the words "Commissioners Court of Gregg County."

The Committee Amendment was adopted.

Senator Lane offered the following Committee Amendment to the bill:

Amend H. B. No. 718 by striking out the words "Juvenile Board" in line 3 of Sec. 14 and substituting in lieu thereof the following words "Commissioners Court."

The Committee Amendment was adopted.

On motion of Senator Lane and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 718 to third reading.

House Bill 718 on Third Reading

Senator Lane moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 718 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

House Bill 868 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 868, A bill to be entitled "An Act creating 'Aquilla-Hackberry Creek Conservation District' under the provisions of Section 59, Article XVI of the Texas Constitution; prescribing the area and powers of the District; etc., and declaring an emergency.

The bill was read second time and was passed to third reading.

House Bill 868 on Third Reading

Senator Martin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 868 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 918 on Second Reading

The Presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 918, A bill to be entitled "An Act repealing Section 8 of Chapter 353, Acts of the 47th Legislature, Regular Session, as amended, to permit the sale of minnows in Hamilton County; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 918 on Third Reading

Senator Martin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 918 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Hudson
Baker	Kazen
Bradshaw	Krueger
Colson	Lane
Crump	Martin
Dies	Moffett
Fly	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Herring	Reagan

Roberts
Rogers
Secrest
Smith

Weinert
Willis
Wood

House Bill 934 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 934, An Act making it unlawful to hunt, take, or kill, or attempt to hunt, take, or kill deer in Hardeman and Foard Counties for a period of two (2) years; providing penalties; and declaring an emergency.

The bill was read second time and was passed to third reading.

House Bill 934 on Third Reading

Senator Moffett moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 934 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Fly
Baker	Fuller
Bradshaw	Gonzalez
Colson	Hardeman
Crump	Hazlewood
Dies	Herring

Hudson	Ratliff
Kazen	Reagan
Krueger	Roberts
Lane	Rogers
Martin	Secrest
Moffett	Smith
Moore	Weinert
Owen	Willis
Parkhouse	Wood
Phillips	

House Bill 716 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 716, A bill to be entitled "An Act amending subdivisions 10, 56 (relating to Galveston County) of Article 199 of the Revised Civil Statutes of Texas, 1925, concerning the District Courts of Galveston County, and the Judges and the Clerk thereof, for the purpose of clearing up uncertainties in the existing law; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 716 on Third Reading

Senator Phillips moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 716 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 473 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 473, A bill to be entitled "An Act authorizing the Commissioners' Courts of certain counties to construct or otherwise acquire buildings to be used as county public health units or public health centers, including the acquisition of the sites therefor, and providing for the payment therefor; authorizing the issuance of bonds, time warrants, and certificates of indebtedness to pay for said units and centers and the sites therefor, and providing terms and conditions relating thereto; authorizing the refunding of said obligations into refunding bonds, and providing terms and conditions relating thereto; providing that this Act shall be cumulative of other laws relating to the subject; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 473 on Third Reading

Senator Phillips moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 473 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Colson
Baker	Crump
Bradshaw	Dies

Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis
Moffett	Wood
Moore	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 795 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 795, A bill to be entitled "An Act granting the Commissioners Court of Borden County the privilege of paying bounties on wild rabbits killed in the County at not to exceed Ten Cents (10c) for each rabbit; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 795 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 795 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 809 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 809, A bill to be entitled "An Act regulating fishing in Borden and Scurry Counties; providing a penalty for violation of this Act; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 809 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that

H. B. No. 809 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 233 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 233, A bill to be entitled "An Act granting additional powers to the Willacy County Navigation District; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 233 on Third Reading

Senator Reagan moved that Senate

Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 233 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Resolution 477

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Junior Class of Sealy High School, accompanied by their teachers and sponsors; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the ac-

ceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students, teachers and sponsors to the Members of the Senate.

Recess

On motion of Senator Smith the Senate at 11:57 o'clock a.m. took recess until 2:00 o'clock p.m. today.

After Recess

The Presiding Officer (Senator Hardeman in the Chair.) called the Senate to order at 2:00 o'clock p.m. today.

House Joint Resolution on First Reading

The following joint resolution received from the House was read the first time and referred to the committee indicated:

H. J. R. No. 3, To the Committee on Constitutional Amendments.

House Bill 330 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 330, A bill to be entitled "An Act regulating the use and possession of certain fishing devices in or on or within one-half mile of certain tidal waters of Willacy County; prescribing penalties for violation; repealing laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 330 on Third Reading

Senator Reagan moved that Senate

Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 330 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 698 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 698, A bill to be entitled "An Act amending Article 6954 of the Revised Civil Statutes of Texas, 1925, as amended, so as to make its provisions applicable to Willacy County; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 698 on Third Reading

Senator Reagan moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 698 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 559 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 559, An Act extending the automatic extension of time for each one hundred and sixty (160) acres improved to two (2) years and modifying and redefining "Reasonable Time" as being five (5) years as set

forth in Senate Bill No. 341, Subsection (2), Section 2, and in Section 3 of Chapter 308, Acts of the Regular Session of the Fifty-fifth Legislature, which Act modified House Bill No. 743, General and Special Laws of Texas, Acts of the Fifty-fourth Legislature, relating to submerged and unsubmerged lands lying within an area known as Tract C, Laguna Madre Subdivision for Mineral Development, dated November 1, 1948, and revised September 1, 1951, by addition of "Cayo Del Oso" Subdivision; etc.; and declaring an emergency.

The bill was read second time and was passed to third reading.

House Bill 559 on Third Reading

Senator Reagan moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 559 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Hardeman
Baker	Hazlewood
Bradshaw	Herring
Colson	Hudson
Crump	Kazen
Dies	Krueger
Fly	Lane
Fuller	Martin
Gonzalez	Moffett

Moore	Rogers
Owen	Secrest
Parkhouse	Smith
Phillips	Weinert
Ratliff	Willis
Reagan	Wood
Roberts	

House Bill 755 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 755, A bill to be entitled "An Act amending Chapter 141, Senate Bill No. 377, Acts 1957, 55th Legislature, R. S., specifically granting to the Willacy County Navigation District the power and authority to lease and/or grant easements over and along all real property owned and/or held by said District in fee simple, by Patent, Easement or otherwise, for causeway, road and public utility purposes; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 755 on Third Reading

Senator Reagan moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 755 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 939 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 939, An Act declaring the legislative policy of the State as to Lavon Lake in Collin County in regard to game; regulating the use of boats and water skis on said Lavon Lake; regulating and prohibiting the use and discharge of firearms on said Lavon Lake; providing penalties for violations; designating peace officers of Collin County and game wardens to make inspections of boats and other watercraft on Lavon Lake and to enforce provisions of the Act; authorizing Commissioners Court of Collin County to expend county funds for the administration and enforcement of this Act; providing severability; and declaring an emergency.

The bill was read second time and was passed to third reading.

House Bill 939 on Third Reading

Senator Roberts moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 939 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Fuller
Baker	Gonzalez
Bradshaw	Hardeman
Colson	Hazlewood
Crump	Herring
Dies	Hudson
Fly	Kazen

Krueger	Reagan
Lane	Roberts
Martin	Rogers
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood
Ratliff	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 555 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 555, A bill to be entitled "An Act validating Hall and Donley Counties Water Control and Improvement District Number One; validating the boundaries of said District; validating all actions, orders, or other proceedings in connection with its creation, organization and operation; validating all actions, orders or other proceedings relating to the calling, conducting and declaring the results of any confirmation election; validating all actions in authorizing the levy, assessment and collection of taxes and in adopting tax rolls; validating the appointment or elections of directors and prescribing their terms; providing that bonds of the District shall be authorized investments and eligible to secure deposits of public funds in certain instances; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on passage of H. B. No. 555 to third reading.

House Bill 555 on Third Reading

Senator Rogers moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 555 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

House Bill 92 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 92, Providing for the election of school trustees by separate positions in certain independent school districts; providing that when the Board of Trustees adopt the procedure herein it may not rescind such action; repealing all laws in conflict except Statutes providing for election of school trustees by position number; and declaring an emergency.

The bill was read second time and was passed to third reading.

House Bill 92 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 92 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Gonzalez
Baker	Hardeman
Bradshaw	Hazlewood
Colson	Herring
Crump	Hudson
Dies	Kazen
Fly	Krueger
Fuller	Lane

Martin	Roberts
Moffett	Rogers
Moore	Secrest
Owen	Smith
Parkhouse	Weinert
Phillips	Willis
Ratliff	Wood
Reagan	

House Bill 514 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 514, A bill to be entitled "An Act providing that the attendance of orphan, dependent or neglected children who are wards of the State shall be considered as eligible average daily attendance in the receiving school district(s) to which these children are transferred after approval by the County School Board and State Commissioner of Education; repealing conflicting laws, making this Act cumulative; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 514 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 514 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 463 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 463, A bill to be entitled "An Act authorizing the Texas National Guard Armory Board to convey certain lands in McLennan County, Texas; describing the manner of sale and disposition of proceeds; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 463 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 463 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 595 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 595, A bill to be entitled "An Act defining eminent domain powers of Bell County Water Control and Improvement District No. 5; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 595 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 595 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kazen
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers

Secrest
Smith
Weinert

Willis
Wood

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 630 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 630, A bill to be entitled "An Act amending Chapter 206, Acts of the 50th Legislature, 1947, as amended, by adding thereto a new Section, 2b, relating to the salaries of investigators and assistants for the Criminal District Attorney of McLennan County; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Santor Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 630 to third reading.

House Bill 630 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 630 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

House Bill 139 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 139, An Act regarding defendants in felony cases who are not able to pay for a transcript of the evidence; amending Section 5, Chapter 465, Acts of the Fifty-second Legislature, 1951; and declaring an emergency.

The bill was read the second time.

Senator Willis offered the following amendment to the bill:

Amend Section 5 as set forth in Section 1 of the House Bill No. 139 by striking out the last sentence commencing on line 25 of the printed bill and substituting in lieu thereof the following:

"For each said service the court reporter may be paid by the county in which the crime was alleged to have been committed, upon certificate of the trial judge, one-half ($\frac{1}{2}$) of the rate provided for by law in civil cases. In the event the court reporter is not paid by said county for said service he shall be paid by the State of Texas, upon certificate of the trial judge, one-half ($\frac{1}{2}$) of the rate provided by law in civil cases."

The amendment was adopted.

On motion of Senator Willis and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 139 on Third Reading

Senator Willis moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 139 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 639 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 639, A bill to be entitled "An Act amending Section 13 of Chapter 186, Acts of 1925, 39th Legislature, Regular Session, to provide that contracts executed by the Highway Department for highway improvements may provide for partial payments to an amount not exceeding 95% of the value of the work done and that only 5% of the contract price need be retained until the entire work has been completed; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 639 on Third Reading

Senator Willis moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 639 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Baker	Hudson
Bradshaw	Kazen
Colson	Krueger
Crump	Lane
Dies	Martin
Fly	Moffett
Fuller	Moore
Gonzalez	Owen
Hardeman	Parkhouse
Hazlewood	Phillips

Ratliff
Reagan
Roberts
Rogers
Secrest

Smith
Weinert
Willis
Wood

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Concurrent Resolution 80 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 80, Granting permission to C. N. Housh and Lester G. Housh, Harris County, Houston, Texas, to sue the State of Texas.

The resolution was read and was adopted.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the adoption of the above resolution.

House Concurrent Resolution 72 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 72, Granting Fritz Luckenbach of Menard County, Texas, permission to sue the State.

The resolution was read and was adopted.

House Concurrent Resolution 43 on Second Reading

The Presiding Officer laid before

the Senate on its second reading the following resolution:

H. C. R. No. 43, Granting permission to John B. Pruett and wife, Nora Pruett to sue the State of Texas.

The resolution was read and was adopted.

House Concurrent Resolution 60 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 60, Granting Beverley Patrick Gaines, et al., permission to sue the State of Texas and the Board of Regents of the University of Texas.

The resolution was read and was adopted.

House Concurrent Resolution 57 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 57, Granting Roy Johnson permission to sue the State of Texas.

The resolution was read and was adopted.

House Concurrent Resolution 63 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 63, Granting Robert W. Riddell and D. L. Peterson permission to sue the State of Texas.

The resolution was read and was adopted.

House Concurrent Resolution 50 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 50, Granting the First Hutchings-Sealy National Bank of Galveston permission to sue the State of Texas and the Teacher Retirement System of Texas.

The resolution was read and was adopted.

House Concurrent Resolution 61 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 61, Granting permission to the Waco Memorial Park to sue the State of Texas and the State Highway Commission.

The resolution was read and was adopted.

House Concurrent Resolution 62 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 62, Granting permission to Mrs. Amelia Daywood Samon to sue the State of Texas and/or the State Highway Department of Texas.

The resolution was read and was adopted.

Senate Resolution 479

Senator Crump offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the 8th Grade of Bandera Public School accompanied by their teacher, Mrs. Anna Laura Vaughn; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Crump by unanimous consent presented the students and Mrs. Vaughn to the Members of the Senate.

Committee Substitute House Bill 634 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

C. S. H. B. No. 634, A bill to be entitled "An Act relating to the sale of thalium compounds; amending Section 1, Chapter 457, Acts of the 55th Legislature, Regular Session, 1957, to require the keeping of certain records including the signatures of purchasers of thalium compounds containing less than one per cent (1%) of thalium sulphate; and declaring an emergency."

The bill was read the second time.

Senator Martin offered the following amendment to the bill:

Amend Section 1 of Committee Substitute for House Bill 634 by adding a comma after the word "poison," and adding the following: "insect poison or other preparation."

The amendment was adopted.

Senator Martin offered the following amendment to the bill:

Amend Committee Substitute for House Bill 634 by adding the following subsection, to be known as subsection (d) to Section 2 thereof:

"(d) Products registered under the provisions of Article 135b-1, Revised Civil Statutes of Texas, as amended by the Acts of the 55th Legislature, Regular Session, 1957, Chap. 422, Page 1264."

The amendment was adopted.

Senator Martin offered the following amendment to the bill:

Amend Section 4 of Committee Substitute for House Bill 634 by striking out all of Section 4 and substituting in lieu thereof the following:

"Section 4. From and after January 1, 1960, Article 726-2 of the Penal Code, Acts 1957, 55th Legislature, page 1346, Chapter 457, is hereby repealed except as to the products covered and included within the exceptions provided under Subdivisions (b), (c) and (d) of Section 2 of this Act, and as to those products, said Article 726-2 of the Penal Code shall be continued in full force and effect."

The amendment was adopted.

On motion of Senator Martin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Herring asked to be recorded as voting "Nay" on the passage of C. S. H. B. No. 634 to third reading.

**Committee Substitute
House Bill 634 on Third Reading**

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 634 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Herring

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Herring

House Bill 267 on Second Reading

Senator Krueger called from the President's Table H. B. No. 267 on its second reading and passage to third reading (The bill having been read the second time this morning and Laid on the Table Subject to Call).

Question—Shall H. B. No. 267 be passed to third reading?

Senator Willis offered the following amendment to the bill:

Amend H. B. No. 267 by adding the following sentence after the period at the end of Section 1, line 31 of the printed bill:

"Provided further that the provisions of this section shall not apply to any county or counties having a population of three hundred and fifty thousand (350,000) or more according to the last preceding Federal census."

WILLIS
GONZALEZ
BAKER
PARKHOUSE

The amendment was adopted.

On motion of Senator Krueger and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Votes

Senators Herring, Willis and Moffett asked to be recorded as voting "Nay" on the passage of H. B. No. 267 to third reading.

House Bill 267 on Third Reading

Senator Krueger moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 267 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Dies
Baker	Fly
Bradshaw	Fuller
Colson	Gonzalez
Crump	Hardeman

Hazlewood	Phillips
Hudson	Ratliff
Kazen	Reagan
Krueger	Roberts
Lane	Rogers
Martin	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Wood

Nays—3

Herring	Willis
Moffett	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Aikin	Lane
Baker	Martin
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Wood

Nays—3

Herring	Willis
Moffett	

**House Bills 729, 791, 482 and 798 and
House Concurrent Resolution 74
Added to Local and Uncontested
Bills Calendar**

On motion of Senator Martin and by unanimous consent House Bills Nos. 729, 791, 482 and 798 and H. C. R. No. 74 were added to the calendar for Local and Uncontested Bills.

House Bill 729 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 729, A bill to be entitled "An Act amending portions of the Texas Liquor Control Act; amending Sub-section (7) of Section 3-a of Article II of the Texas Liquor Control Act, Chapter 467, Acts of the Second Called Session of the Forty-fourth

Legislature, as amended, to more clearly define the term "Premise"; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Votes

Senators Moffett, Willis, Martin and Ratliff asked to be recorded as voting "Nay" on the passage of H. B. No. 729 to third reading.

Motion to Place House Bill 729 on Third Reading

Senator Moore moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 729 be placed on its third reading and final passage.

The motion was lost by the following vote (Not receiving four-fifths vote of the Members present):

Yeas—20

Bradshaw	Lane
Crump	Moore
Dies	Owen
Fly	Parkhouse
Gonzalez	Ratliff
Hardeman	Reagan
Herring	Rogers
Hudson	Smith
Kazen	Weinert
Krueger	Wood

Nays—8

Aikin	Moffett
Baker	Roberts
Colson	Secrest
Martin	Willis

Absent

Fuller	Phillips
Hazlewood	

House Bill 482 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 482, A bill to be entitled "An Act amending Section 5, Chapter 14, Acts of the 52nd Legislature, Regular Session, 1951, (compiled as Article 934c, Vernon's Texas Penal Code) relating to the taking of menhaden fish so as to include under its provisions the additional Counties of Kleberg, Kenedy, Wil-

lacy, and Cameron; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 482 on Third Reading

Senator Reagan moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 482 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Concurrent Resolution 74 on Second Reading

The Presiding Officer laid before

the Senate on its second reading the following resolution:

H. C. R. No. 74, Granting Lonnie A. Weber and wife permission to sue the State of Texas.

The resolution was read and was adopted.

House Bill 791 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 791, A bill to be entitled "An Act to amend Articles 2338-9 Revised Civil Statutes creating a Juvenile Court and a Court of Domestic Relations so as to authorize Judges of all District Courts to sit for, hear and decide cases pending in the Juvenile Court and Domestic Relations Court of Dallas County, authorizing District Judges of Dallas County to provide for the filing of any case within the jurisdiction of the Juvenile Court and the Domestic Relations Court in either the Juvenile Court or the Domestic Relations Court or in any one or more of the district Courts of Dallas County; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Votes

Senators Martin, Krueger and Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 791 to third reading.

House Bill 791 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 791 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Baker	Herring
Bradshaw	Hudson
Colson	Kazen
Crump	Krueger
Dies	Lane
Fly	Martin
Fuller	Moffett
Gonzalez	Moore

Owen	Rogers
Parkhouse	Secrest
Phillips	Smith
Ratliff	Weinert
Reagan	Willis
Roberts	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Lane	Wood

Nays—3

Hardeman	Martin
Krueger	

House Bill 798 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 798, A bill to be entitled "An Act amending Section 17 of Chapter 152, Acts of the Fifty-fifth Legislature, Regular Session, 1957, to extend for two years the regulation of wildlife by the Game and Fish Commission in Bexar County; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senators Martin and Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 798 to third reading.

House Bill 798 on Third Reading

Senator Gonzalez moved that Senate Rule 32 and the Constitutional

Rule requiring bills to be read on three several days be suspended and that H. B. No. 798 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—2

Hardeman	Martin
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—2

Hardeman	Martin
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Conclusion of Local and Uncontested Bills Calendar Session

The Presiding Officer announced the conclusion of the session for the consideration of Local and Uncontested Bills Calendar.

At Ease

The Presiding Officer announced at

2:50 o'clock p.m. that the Senate would stand At Ease until 3:00 o'clock p.m. today.

In Legislative Session

The President called the Senate to order as in Legislative Session at 3:00 o'clock p.m. today.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. B. No. 2, An Act amending Article 7500a, Revised Civil Statutes of Texas of 1925, as amended; repealing conflicting laws; and declaring an emergency.

H. B. No. 470, A bill to be entitled "An Act making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill, or possess any game bird or game animal in Comal County at any time; to take, kill, or trap any fur-bearing animal in said county; to take or attempt to take any fresh water fish in said county by any means or method; etc.; and declaring an emergency."

H. C. R. No. 96, Enrolling Clerk to make certain correction in House Bill No. 2.

H. C. R. No. 97, In memory of Asher Mintz.

House Bill 27 on Second Reading

On motion of Senator Fly and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading.

H. B. No. 27, A bill to be entitled "An Act authorizing the Board of Water Engineers to grant water permits for a term of years; providing that this Act be cumulative of other laws and declaring an emergency."

The bill was read second time and passed to third reading.

Record of Votes

Senators Baker and Herring asked to be recorded as voting "Nay" on the passage of H. B. No. 27 to third reading.

House Bill 27 on Third Reading

Senator Fly moved that the Con-

stitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 27 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Weinert
Lane	Wood

Nays—2

Baker	Herring
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Absent

Fuller	Smith
Hazlewood	Willis
Phillips	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Weinert
Lane	Wood

Nays—3

Baker	Reagan
Herring	

Absent

Fuller	Smith
Hazlewood	Willis

Conference Committee Report on House Bill 247

Senator Owen submitted the fol-

lowing Conference Committee Report on H. B. No. 247:

Austin, Texas,
April 29, 1959.

Honorable Ben Ramsey, President of the Senate.

Honorable Waggoner Carr, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 247, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

OWEN
MOORE
WOOD
ROBERTS
RATLIFF

On the part of the Senate.

ANDERSON
SLACK
COLLINS
CONLEY
KILPATRICK

On the part of the House.

H. B. No. 247,

**A BILL
TO BE ENTITLED**

AN ACT authorizing the District Attorney of the 142nd Judicial District of Midland County, Texas, with approval of the Commissioners Court of said County, to employ stenographers, assistants and special investigators; prescribing their compensation, qualifications, powers, duties, authority, and method of employment; authorizing the Commissioners Court to furnish automobiles, telephones, typewriters, office furniture, supplies and other items and equipment, travel expenses, and other necessary expenses of the District Attorney's office; empowering the Commissioners Court of said County to require bond of said stenographers, assistants and special investigators; authorizing the Commissioners Court of said County to supplement the salary of the District Attorney; repealing laws in conflict; providing a severability clause; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Whenever the District

Attorney of the 142nd Judicial District shall require the services of assistants, investigators or stenographers in the performance of his duty, he shall apply to the Commissioners Court of Midland County for authority to appoint such assistants, investigators and stenographers, stating by sworn application the number needed, the position to be filled, and the amount to be paid. Upon receipt of such application the Commissioners Court of Midland County may enter an order authorizing the employment of such assistants, investigators and stenographers and fix the compensation to be paid them within the limitations herein prescribed and determine the number to be appointed as in the discretion of the Commissioners Court may be proper. In no case shall the Commissioners Court or any member thereof attempt to influence the employment of any person as assistant, investigator or stenographer. Upon entry of such order the District Attorney of the 142nd Judicial District shall be authorized to employ the assistants, investigators and stenographers as authorized by the Commissioners Court of Midland County provided that the compensation paid each of said employees shall not be less than the minimum nor exceed the maximum amounts prescribed in Sections 2 and 3 of this Act.

Sec. 2. Each stenographer of the District Attorney in the 142nd Judicial District shall be paid a salary of not less than Three Thousand, Six Hundred Dollars (\$3,600) per annum and not more than Four Thousand, Eight Hundred Dollars (\$4,800) per annum as determined by the Commissioners Court of Midland County to be paid in equal monthly installments out of the Officer's Salary Fund, the General Fund or any other available fund of Midland County.

Sec. 3. Each assistant of the District Attorney of the 142nd Judicial District shall be paid a salary of not less than Four Thousand, Eight Hundred Dollars (\$4,800) per annum and not more than Seven Thousand, Five Hundred Dollars (\$7,500) per annum as determined by the Commissioners Court of Midland County to be paid in equal monthly installments out of the Officer's Salary Fund, the General Fund or any other available fund of Midland County. Each investigator shall be paid a salary of not less than Four Thousand, Eight Hundred Dollars

(\$4,800) nor more than Six Thousand, Three Hundred Dollars (\$6,300) per annum as determined by the Commissioners Court of Midland County to be paid in equal monthly installments out of the Officer's Salary Fund, the General Fund or any other available fund of Midland County.

Sec. 4. The assistants to the District Attorney of the 142nd Judicial District must be duly and legally licensed to practice law in the State of Texas and shall be authorized to perform all duties imposed on the District Attorney by law.

Sec. 5. Investigators for the District Attorney need not be licensed to practice law. They shall have authority to make arrests and execute process in criminal cases, and shall have the rights and duties of a peace officer in criminal cases and in cases growing out of the enforcement of all laws. In addition to their salaries, investigators may be allowed actual and necessary travel expenses incurred in the proper discharge of their duties, not to exceed the amount fixed by the Commissioners Court of Midland County, Texas. All claims for travel expenses for the investigators shall be paid from the General Fund, the Officer's Salary Fund, or any other available fund of Midland County, Texas.

Sec. 6. The Commissioners Court of Midland County, Texas, is authorized to furnish an automobile or automobiles for use of the District Attorney's office in carrying out the official duties of the office, and to provide for the maintenance thereof. It is further authorized to furnish telephones, typewriters, office furniture, supplies, and such other items and equipment as it deems necessary to carry out the official duties of the District Attorney's Office, and to pay the necessary and essential expenses incident to carrying out the official duties of the District Attorney and his office.

Sec. 7. The stenographers, special investigators, and assistants to the District Attorney may be required by the Commissioners Court of Midland County, Texas, to give bond in such amount as the court may direct.

Sec. 8. The District Attorney of the 142nd Judicial District shall be compensated for his services in such amount as may be fixed by the General Law relating to the salary to be paid to District Attorneys by the State, and in addition his salary may be sup-

plemented by the Commissioners Court of Midland County; but his total salary shall not be supplemented to exceed the salary paid the County Attorney of Midland County or the sum of Ten Thousand Dollars (\$10,000), whichever is higher. The Commissioners Court of Midland County in its discretion is authorized to pay the supplemental salary herein authorized, in such amount as it may determine within the limit fixed by this Section.

Sec. 9. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed to the extent of such conflict.

Sec. 10. If any portion of this Act is held unconstitutional by a court of competent jurisdiction, the remaining provisions of this Act shall, nevertheless, be valid the same as if the portion held unconstitutional had not been a part of this Act.

Sec. 11. The fact that the growth in population in Midland County, Texas, has increased the duties of the District Attorney for such County, and the District Attorney of Midland County is in urgent need of the increased assistance this Act will give his office in carrying out his duties, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The report was read and adopted by the following vote:

Yeas—28

Aikin	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood

Absent

Baker	Hazlewood
Fuller	

House Bill 26 on Second Reading

Senator Moore asked unanimous consent to suspend the regular order of business and take up H. B. No. 26 for consideration at this time.

There was objection.

Senator Moore then moved to suspend the regular order of business and take up H. B. No. 26 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Moore
Baker	Owen
Bradshaw	Phillips
Crump	Ratliff
Dies	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Lane	Willis
Moffett	Wood

Nays—4

Hazlewood	Martin
Krueger	Parkhouse

Absent

Colson	Fuller
Fly	

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 26, A bill to be entitled "An Act requiring a declaration of party affiliation or lack of party affiliation, on the voter's poll tax receipt, exemption certificate, or party registration certificate as a prerequisite to voting in a primary election or participating otherwise in certain party activities and making provisions relative to issuance and use of receipts and certificates containing information or party affiliation; providing for certain records; providing certain penalties; providing effective dates; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Krueger asked to be recorded as voting "Nay" on the passage of H. B. No. 26 to third reading.

House Bill 26 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 26 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Martin
Baker	Moore
Bradshaw	Phillips
Crump	Ratliff
Dies	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Willis
Kazen	Wood
Lane	

Nays—3

Krueger	Weinert
Parkhouse	

Absent

Colson	Moffett
Fly	Owen
Fuller	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Krueger, Weinert and Parkhouse asked to be recorded as voting "Nay" on the final passage of H. B. No. 26.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

S. B. No. 105, A bill to be entitled "An Act to amend Article 583 of the Code of Criminal Procedure of Texas of 1925; and declaring an emergency."

S. B. No. 199, A bill to be entitled "An Act to amend Articles 501, 502, 505, 517, 518, and 519 of the Code of Criminal Procedure of Texas of 1925 so as to provide for a plea of nolo contendere in all cases in which a plea of

guilty might be entered; and declaring an emergency."

S. B. No. 458, A bill to be entitled "An Act to amend Article 57, Ch. 492, Acts, 52nd Leg., R. S., 1951, the Election Code of the State of Texas, as amended, so as to provide that in instances where a person is nominated for President or Vice-President of the United States and also for an office requiring a state-wide vote for election, the name of such person may appear on the official ballot as a candidate for both such offices; repealing laws in conflict herewith; and declaring an emergency."

S. C. R. No. 59, Congratulating the cast of "A Midsummer Night's Dream" and making them official good-will ambassadors to Great Britain on their tour of the play from May 18 through August 15, 1959.

S. C. R. No. 61, Commending the Benevolent and Protective Order of Elks.

Senate Bill 475 on First Reading

On motion of Senator Phillips and by unanimous consent of the Senate, the following bill was introduced in conformity with the Governor's Emergency Message received today, read first time and referred to the committee indicated:

By Senator Phillips:

S. B. No. 475, A bill to be entitled "An Act to amend Article 1 of Subchapter IV, Chapter 97, Page 144, Acts of the 48th Legislature, Regular Session, 1943; providing for the transfer of shares of stock in a state bank with certain limitations when the transfer affects a change of control of the bank; and declaring an emergency."

To the Committee on Banking.

House Bill 852 on Second Reading

On motion of Senator Colson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 852, A bill to be entitled "An Act authorizing the Texas Department of Corrections to purchase a tract of land containing approximately 8300 acres within a radius of twenty-five miles of the City of Huntsville, Texas; providing that the total cost

of said land shall not exceed \$1,250,000,000; providing that the Texas Board of Corrections shall select the tract of land and handle all transactions from securing the initial option on the land to the consummation of the transaction; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

(Senator Hardeman in the Chair.)

House Bill 852 on Third Reading

Senator Colson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 852 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Fuller

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kazen
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts

Rogers
Secrest
Smith

Weinert
Willis
Wood

Absent

Fuller

Senate Bill 476 on First Reading

Senator Martin moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Fuller

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Martin:

S. B. No. 476, A bill to be entitled "An Act providing for the incorporation of dental health service corporations; adding an exception to the Dental Practice Act; and providing for severance, repealing, and emergency clauses."

To the Committee on Public Health.

House Bill 201 on Third Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 201, An Act prohibiting false wholesale advertising and misrepresenting the true nature of business; defining the term "wholesale" as used in the Act; prohibiting any person, firm, association, or corpora-

tion from misrepresenting true ownership of a business for the purpose of liquidation sale, auction sale, or other sale which represents that said firm is going out of business; providing for injunctions; prescribing penalties for violation of the Act; providing for a savings clause; repealing Acts in conflict herewith; and declaring an emergency.

The bill was read third time and was passed.

Record of Votes

Senators Hardeman, Crump, Herring and Rogers asked to be recorded as voting "Nay" on the final passage of H. B. No. 201.

Senate Bill 477 on First Reading

By unanimous consent the following local bill was introduced, read first time and referred to the committee indicated:

By Senator Rogers:

S. B. No. 477, A bill to be entitled "An Act granting additional powers to Kent Creek Water Control and Improvement District No. One in Briscoe County, Texas; stating effect of this Act; authorizing and providing for ad valorem taxes for works, plants and facilities and for maintenance, operation and administration of the District, and that all taxes shall constitute a lien and not be barred by limitation; making provisions for issuance of bonds and refunding bonds, their eligibility as investments and exemption from taxation; making provisions relative to exercise of the power of eminent domain; validating the organization and confirmation of the District; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 478 on First Reading

Senator Gonzalez moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Baker
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Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood

Absent

Fuller

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Gonzalez:

S. B. No. 478, A bill to be entitled "An Act amending the subject matter of the Texas Unemployment Compensation Act, Senate Bill No. 5, Ch. 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, as amended from time to time, so as to authorize the Texas Employment Commission, upon the advice and consent of the Governor to enter into valid agreements with appropriate agencies of other states and/or the Federal Government to pay extended unemployment compensation benefits under the unemployment compensation laws of one or more states or under one or more such laws of the Federal Government; amending Sec. 17-A, subsection (b) of the Act to give such authority to the Commission; providing severability; and declaring an emergency."

To the Committee on State Affairs.

House Bill 135 on Second Reading

Senator Rogers asked unanimous consent to suspend the regular order of business and take up H. B. No. 135 for consideration at this time.

There was objection.

Senator Rogers then moved to suspend the regular order of business and take up H. B. No. 135 for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin

Baker

Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood
Moffett	

Absent

Fuller

Hazlewood

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 135, An Act regulating the movement of livestock out of livestock markets in order to prevent the dissemination of infectious, contagious and communicable livestock diseases; providing a penalty for violation; and declaring an emergency.

The bill was read second time.

Senator Rogers offered the following Committee Amendment to the bill:

Amend H. B. No. 135 by striking out all of Section 3 and substituting in lieu thereof the following:

"Section 3. The Commission is hereby authorized to require the operators of all livestock markets herein defined to furnish adequate chutes, holding pens and to furnish or have access to such other essential testing and dipping facilities within the immediate vicinity.

Representatives of the Commission are hereby authorized to enter any livestock market for the exercise of any authority, or performance of any duty authorized under this Act.

Failure or refusal on the part of the livestock market operator to furnish adequate facilities or to permit representatives of the Commission to enter such market, or to exercise authority or perform such duty provided under this Act, shall constitute a misdemeanor and, upon conviction, such livestock market operator shall be fined not less than Twenty-five (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars. Each day

of violation will constitute a separate offense."

The Committee Amendment was adopted.

Senator Rogers offered the following Committee Amendment to the bill:

Amend House Bill No. 135, by striking out Section 4 and inserting in lieu thereof the following:

"Section 4. The testing or vaccination required by this act shall be performed by accredited veterinarians or qualified personnel authorized by the Commission. The State of Texas shall not be required to pay the cost of fees charged for such testing or vaccination."

The Committee Amendment was read.

Senator Fly offered the following substitute for the Committee Amendment:

Substitute for Committee Amendment No. 2, to House Bill 135:

"Section 4. The testing or vaccination required by this act shall be performed by accredited veterinarians or qualified personnel authorized by the Commission. The State of Texas shall not be required to pay the cost of fees charged for such testing or vaccination.

The Livestock Sanitary Commission is authorized and directed to charge such fees and other assessments to be determined by the Commission for providing such personal services and other operating expenses as are necessary for carrying out the purposes of this Act, with exception to testing and vaccinations as are required by this Act. Fees and assessments so collected shall be deposited in the Treasury of the State of Texas to the credit of a special fund to be known as the 'Livestock Sanitary Auction Barn Fund.' Such amounts as are deposited are hereby appropriated to the use of the Livestock Sanitary Commission for personal services and necessary operating expenses from the effective date of this Act until September 1, 1959. Subsequent to that date, appropriations from the collection of such fees and assessments shall be made from the general appropriations act."

The substitute for the Committee Amendment was adopted.

The Committee Amendment as substituted was then adopted.

Record of Votes

Senators Rogers and Krueger asked to be recorded as voting "Nay" on the adoption of the above substitute for the Committee Amendment.

On motion of Senator Rogers and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Dies asked to be recorded as voting "Nay" on the passage of H. B. No. 135 to third reading.

House Bill 135 on Third Reading

Senator Rogers moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 135 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood
Moffett	

Nays—1

Aikin

Absent

Baker	Hazlewood
Fuller	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis
Moffett	Wood

Nays—2

Aikin	Dies
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Absent

Baker	Hazlewood
Fuller	

Message from the Governor

The following message received from the Governor today was read and was filed with the Secretary of the Senate:

April 29, 1959.

To the Members of the Fifty-sixth Legislature:

I have signed Senate Bill 11, which provides for an increase in the weight limit of trucks operating on the highways of Texas, after conducting a public hearing concerning the intent and effect of the bill, from which I reached the following conclusions which have been attached to my signature of the bill:

1. The gross weight increase which will bring the Texas limits in line with other Southern and Western States on January 1, 1960, can be carried on most of the State's highways without endangering the safety or structure of the roads.

2. The State Highway Department has the power to further limit such weights on any portions of the highway system which are incapable of carrying the maximum load. However, the present procedure for such purpose contained in Article 834 of the Penal Code would be clarified and strengthened if amended to conform with the authority now applicable to State farm-to-market roads.

3. County Commissioners have the

power under law to load zone county roads so as to require lesser weight limits, and this is not changed by Senate Bill 11. The Highway Department has the same power with respect to State farm-to-market roads under Article 827a, Section 5½ of the Penal Code, and the Chief Engineer has assured me that he will post restrictions on all farm-to-market roads which might be subject to damage by heavy loads.

4. The bill does not authorize any increase in length, height or width of trucks or any increase in the maximum now allowed per wheel, axle, or tire surface. The only increase is in gross weights, and weights between axle groups. The maximum limits would require an additional axle and wheels to support the increase in load.

5. The last expression of the Legislature in the enactment of this bill was contained in Senate Committee Amendment No. 1, which clearly shows the intention of the Legislature that weight limits are intended to apply to the "distance in feet between the extremes of any group of axles" on any vehicle or combination of vehicles, and in this respect was intended to change the previously existing law and the interpretation thereof contained in Attorney General's Opinion No. V-1285, dated September 18, 1951. This change is an improvement specifically made upon recommendation of the State Highway Engineer that the weight should be limited on interior axle groups as well as on the entire vehicle or combination of vehicles.

6. Even under present weight maximums, the roads and highways which are suffering excessive wear and tear from heavy loads should be restricted to lesser loads under the power and authority vested by law in the commissioners' courts with respect to county roads and the State Highway Commission with respect to State farm-to-market and ranch-to-market roads. Also, the State Highway Commission should use its authority to set lower weight limits by load zoning any of the State highway system which is not capable of carrying present or future maximum weights. In this connection, as stated above, this power of the Highway Commission with respect to State highways should be brought up to date, clarified and strengthened by amending Article 834 of the Penal Code so that the proce-

ture and power of the Commission will be the same as it now exists with respect to State farm-to-market and ranch-to-market roads under Article 827a, Section 5½. I consider this an emergency matter and submit it for your consideration as an emergency in accordance with Section 5 of Article III of the Constitution of Texas, and urge that such legislation be enacted at this session.

7. Under both the present and future weight limits there is an urgent need for additional appropriations for the License and Weight Division of the Department of Public Safety to prevent overloading and to enforce the special restrictions which now exist or which may be imposed hereafter by the State Highway Commission on roads designed for lesser weights. These increased appropriations are necessary for additional enforcement personnel and for installation of permanent platform scales. Sufficient additional funds for this purpose will be available from the Operators and Chauffeurs License Fund and other special funds available to the Department of Public Safety without any appropriation from the General Revenue. It is obvious that the present staff of 75 license and weight inspectors are insufficient to properly enforce present or future weight restrictions. Twelve of these inspectors devote much of their time to administrative functions, and all are charged with other duties such as enforcing the registration laws and the State Motor Carrier Act. As pointed out by the report of the Texas Research League in its survey conducted for the State Highway Commission, "The License and Weight Division can only keep an average of 18 or 19 men on the road at any one time, even if they work 48 hours a week and never take time off for illness or vacation."

With over a million trucks and trailers and a State criss-crossed by the network of more than 60,000 miles of State highways in addition to approximately 150,000 miles of county roads and 30,000 miles of city streets, it is impossible to expect this small force of officers, supplemented occasionally by county officers, to properly

ly enforce present or future weight limits and prevent overloading and use of restricted highways and roads. Legitimate trucking interests and the general public fully support stronger enforcement of the weight limit laws, and the truckers themselves pay far more in special fees and taxes than the amount necessary to at least double the present number of license and weight inspectors. In fact, the additional fees payable under weights authorized in Senate Bill 11 will be far in excess of the cost of doubling the present number of license and weight inspectors and building platform scales recommended by the Department of Public Safety and the State Highway Commission. Therefore, I submit as an emergency matter and urgently recommend these increased appropriations for the License and Weight Division of the Department of Public Safety.

If the recommendations in this message are enacted, I am convinced that the safety and structure of our highways and roads will be protected even under the new weight limits far more than they have been under present laws and appropriations.

Respectfully submitted,

PRICE DANIEL

Governor.

Report of Standing Committee

Senator Colson by unanimous consent submitted the following report:

Austin, Texas,

April 29, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 476, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Adjournment

On motion of Senator Kazen the Senate at 4:13 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
John W. Minton

Senator Dies offered the following resolution:

(Senate Resolution 478)

Whereas, On the 19th day of April, 1959, Almighty God called to his heavenly rest, Mr. John W. Minton of Hemphill, Sabine County, Texas;

Whereas, He was born 83 years ago at Geneva and lived in Sabine County all of his life;

Whereas, He graduated from the University of Texas Law School in 1906, and from that date, practiced law in the City of Hemphill;

Whereas, he served with distinction as a Representative in the Texas Legislature in 1910 and 1911; was active all of his life in civic affairs in his community and was a Deacon in the First Baptist Church for 50 years and a Sunday School teacher for 60 years;

Whereas, John W. Minton was loved and admired by thousands of people from all walks of life; was a true patriot and friend of mankind; now, therefore, be it

Resolved, That the Senate of Texas pay tribute to John W. Minton and that a page of the Senate Journal be set aside in his memory; and that when the Senate of Texas adjourns today, it do so in honor and respect to John W. Minton.

The resolution was read and was adopted by a rising vote of the Senate.